



# 13

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for Reissue )  
Of U.S. Patent No. 5,634,448 )

RONALD D. SHINOGLA, ET AL )

Application No. 09/322,770 )

Issued: June 3, 1997 )

For: METHOD AND STRUCTURE FOR )  
CONTROLLING AN APPARATUS, )  
SUCH AS A FUEL INJECTOR, )  
USING ELECTRONIC TRIMMING )

Attorney Docket No. 87-146 R )

Art Unit: Unassigned

Examiner: Unassigned

Paper No. 13

RECEIVED  
OCT 13 2000  
OFFICE OF PETITIONS

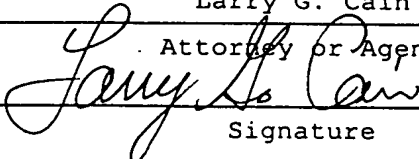
Peoria, Illinois 61629-6490  
October 28, 1999

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

ATTN: APPLICATION PROCESSING DIV.  
SPECIAL PROCESSING AND CORRESPONDENCE BRANCH

PETITION UNDER 37 CFR § 1.182

Sir:

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231	
On	October 28, 1999 (Date)
Larry G. Cain	
Attorney or Agent	
	
Signature	
Date:	October 28, 1999

Applicants hereby petition to obtain the date received and serial number of the reissue patent application filed on May 28, 1999 entitled "Method And Structure For Controlling An Apparatus, Such As A Fuel Injector, Using Electronic Trimming".

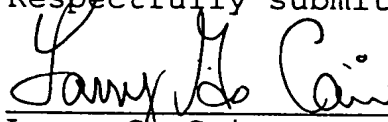
Filed herewith, under separate letter, are new drawing sheets 1-7 including Figures 1-10, a Declaration and Power of Attorney, and a copy of the Notice of Recordation of Assignment Document (copies attached). Please charge the petition fee of \$130.00 to our Deposit Account No. 03-1129.

Apparently Applicants inadvertently failed to send, temporary drawings consisting of copies of the original Figures described in the specification, i.e. Figures 1-10 as set forth in CFR 1.174. Applicants did, however, request that the original drawings be transferred from the original file. An affidavit (Paper No. 14) by Nancy J. Crater is enclosed setting forth the steps typically used when she prepares a reissue application for mailing to the United States Patent and Trademark Office. A new procedure has been outlined, that will be used as a check list, listing the necessary steps and required papers for filing a reissue application. An emphasis has been placed on the need for sending temporary drawings, i.e. a copy of the drawing(s) verses only requesting that the original drawings be transferred from the original file. A copy of the outlined procedure is attached.

Applicants contend that the omission of drawings was through error without any deceptive intent. But, was merle an oversight on behalf of the person(s) packaging the papers being submitted to file an application for reissue of United States Letters Patent No. 5,634,448. The mishap arose without any deceptive intent on the part of the applicants and those preparing and packaging the papers for submitting to the United States Patent and Trademark Office.

Applicant's Agent of Record hereby verifies that all statements made herein are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Larry G. Cain", is written over a horizontal line.

Larry G. Cain  
Registration No. 31,150  
Caterpillar Inc.

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Facsimile: (309) 675-1236  
87-146R-petition to obtain date



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for Reissue )  
Of U.S. Patent No. 5,634,448 )  
RONALD D. SHINOGLA, ET AL ) Art Unit: Unassigned  
Application No. 09/322,770 ) Examiner: Unassigned  
Issued: June 3, 1997 ) Paper No. 14  
For: METHOD AND STRUCTURE )  
FOR CONTROLLING AN )  
APPARATUS, SUCH AS A )  
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ELECTRONIC TRIMMING )  
Attorney Docket No. 87-146 R )

Peoria, Illinois 61629-6490

October 28, 1999

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Attn: Application Processing Division,  
Special Processing and Correspondence Branch

AFFIDAVIT

State of Illinois }  
County of Peoria }

Sir:

I, Nancy J. Crater, being duly sworn, depose and say that I have been employed by Caterpillar Inc. for a period of approximately 2 1/2 years. For the past approximately 21 months, part of my responsibilities have included preparing various papers for mailing patent applications to the United States Patent and Trademark Office. The above identified application for reissue being the first reissue application I have prepared papers therefor. I hereby affirm that the following was used as a guide for mailing the above identified application for reissue:

In preparing such papers, I used as a guide a previous reissue patent application file (Reissue application filed 5/28/99) and a copy of a handout

titled "Reexamination & Reissue Prosecution and Litigation."

In preparing the papers, I inadvertently, without deceptive intent, failed to send a copy of the drawing with the application for reissue. At the time of preparing the papers, I was under the assumption that the request for transferring of the drawing from the original file met the requirement for filing an application for reissue.

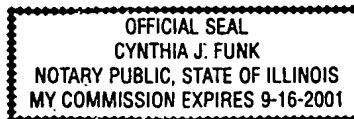
Since that time I have found that not to be true and that a copy of the drawing must accompany the application for reissue. A procedure (copy attached) has been defined and lists the necessary papers for filing a reissue application. Thus, in the future, inadvertent acts, such as failing to include a copy of the drawing, will be prevented.

Nancy J. Crater 10/28/99  
Nancy J. Crater Date

Witness my hand and seal this 28<sup>th</sup> day of October, 1999

Cynthia J. Funk  
Notary Public

Encl. - REISSUE APPLICATION  
87-146R-affidavit





## REISSUE APPLICATION

### GUIDE PROCEDURE FOR PAPERS TO BE FILED

1. COPY OF PATENT IN COLUMNAR FORMAT
  - A. EXISTING SPECIFICATION & CLAIMS
  - B. NEW CLAIMS - UNDERLINED
2. APPLICATION FOR REISSUE
3. ASSIGNMENT
  - A. COPY OF OLD ASSIGNMENT
  - B. COPY OF NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT
  - C. NEW ASSIGNMENT - PARAGRAPH (DECEPTIVE INTENT)
4. DECLARATION & POWER OF ATTORNEY
  - A. DECLARATION & POWER OF ATTORNEY - AT TIME OF FILING
  - B. INFORMATION SHEET - WITHOUT EXECUTED DECLARATION & POWER OF ATTORNEY
5. REQUEST FOR TITLE REPORT
  - A. REQUEST
  - B. FEE
6. REQUEST FOR TRANSFER OF FORMAL DRAWING
  - A. REQUEST
  - B. COPY OF DRAWINGS
7. ASSENT OF ASSIGNEE AND OFFER TO SURRENDER ORIGINAL LETTERS PATENT
  - A. IDENTIFY PATENT AND LOCATION
  - B. SURRENDER
8. TRANSMITTAL LETTER
  - A. FEE
  - B. CORRESPONDENCE ADDRESS
9. EXPRESS MAIL

Larry G. Cain

September 7, 1999

Q:/LGC/MISC/REISSUE-PROCEDURES.DOC